

Customized FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NO. P0690US00BAS U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/647,780
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. PCT/FR99/00807	INTERNATIONAL FILING DATE 07 April 1999	PRIORITY DATE CLAIMED 08 April 1998
TITLE OF INVENTION: NOVEL MEMBRANE-BOUND METALLOPROTEASE NEP II AND THE USE...		
APPLICANT(S) FOR DO/EO/US: OUMET et al.		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371. 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1). 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. is transmitted herewith (required only if not transmitted by the International Bureau). b. has been transmitted by the International Bureau. c. is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <ol style="list-style-type: none"> a. are transmitted herewith (required only if not transmitted by the International Bureau). b. have been transmitted by the International Bureau. c. have not been made; however, the time limit for making such amendments had NOT expired. d. have not been made and will not be made. 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> 9. An oath-or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 16. below concern document(s) or information included:		
11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.		
<input checked="" type="checkbox"/> 12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
<input checked="" type="checkbox"/> 13. A First preliminary amendment . A Second or subsequent preliminary amendment.		
14. A substitute specification. 03/11/2002 UEDUVIJE 00000164 120555 09647780		
15. A change of power of attorney and/or address letter. 01 FC:115 110.00 CH		
<input checked="" type="checkbox"/> 16. Other items or information:		
<input checked="" type="checkbox"/> Statement under 37 CFR 1.821 including diskette		
<input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.		
<input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).		
Date: 26 December 2000		

Customized Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NO. P06910US00/BAS
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. 09/647780
INTERNATIONAL APPLICATION NO. PCT/FR99/00807	INTERNATIONAL FILING DATE 07 APRIL 1999	PRIORITY DATE CLAIMED 08 APRIL 1998		
TITLE OF INVENTION: NOVEL NEP II MEMBRANE METALLOPROTEASE AND ITS USE FOR SCREENING. . .				
APPLICANT(S) FOR DO/EO/US: OUIMET, Tanja et al.				
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:				
<input checked="" type="checkbox"/> 1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371. <input checked="" type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1). <input checked="" type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date. <input checked="" type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> b. has been transmitted by the International Bureau. <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> b. have been transmitted by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired. <input checked="" type="checkbox"/> d. have not been made and will not be made. <input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. to 16. below concern document(s) or information included: <input type="checkbox"/> 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. <input type="checkbox"/> 12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> 13. A First preliminary amendment . <input type="checkbox"/> A Second or subsequent preliminary amendment. <input type="checkbox"/> 14. A substitute specification. <input type="checkbox"/> 15. A change of power of attorney and/or address letter. <input type="checkbox"/> 16. Other items or information: <input type="checkbox"/> <input type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371. <input type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).				
Date: 05 October 2000				

U.S. APPLICATION NO. 09/647780		INTERNATIONAL APPLICATION NO. PCT/FR99/00807		ATTORNEY DOCKET NO. P06910US00/BAS	
<input checked="" type="checkbox"/> 17. The following fees are submitted: <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492 (a) (1)-(5): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO <input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO <input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO <input type="checkbox"/> International preliminary examination fee paid to USPTPO <input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) </div> <div style="text-align: right;"> \$1000 \$ 860 \$ 710 \$ 690 \$ 100 </div> </div>				CALCULATIONS PTO USE ONLY	
				ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00	
<input type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).				<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. + \$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		X \$18 =	\$	
Independent Claims	- 03 =		X \$80 =	\$	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$270 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 860.00	
<input type="checkbox"/> Reduction of 1/2 for small entity status of applicant.				\$	
SUBTOTAL =				\$ 860.00	
<input type="checkbox"/> Processing fee of \$130 for furnishing the English translation later than from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. + \$	
TOTAL NATIONAL FEE =				\$ 860.00	
<input type="checkbox"/> Fee for recording the enclosed assignment, accompanied by a cover sheet - \$40 per property				\$	
TOTAL FEES ENCLOSED =				\$ 860.00	
<i>Amount to be</i>				Refunded	\$
				Charged	\$
<input checked="" type="checkbox"/> a. A check in the amount of \$ 860.00 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.					
Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: B. Aaron Schulman At the address (below) of CUSTOMER NO. 000881. LARSON & TAYLOR, PLC 1199 NORTH FAIRFAX ST. SUITE 900 ALEXANDRIA, VA 22314			SIGNATURE: <i>Douglas E Jackson</i> NAME: DOUGLAS E. JACKSON REG. NO.: 28518 PHONE NO.: 703-739-4900 Date: 05 OCTOBER 2000		

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

OUIMET et al.

Serial No.: 09/647,780

Examiner:

Filed: October 5, 2000

Art Unit:

National Stage of PCT/FR99/0807

For: NOVEL NEP II MEMBRANE
METALOPROTEASE AND ITS USE FOR
SCREENING . . .

Docket No.: P06910US0/BAS

STATEMENT UNDER 37 C.F.R. § 1.821

Honorable Assistant Commissioner of Patents and Trademarks

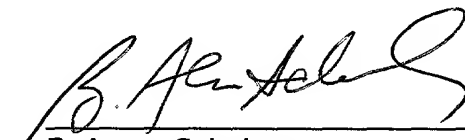
Washington, D.C. 20231

SIR:

I hereby certify in accordance with 37 C.F.R. 1.821(f) that the content of the enclosed paper sequence listing and computer readable form of the sequence listing are the same. In accordance with 37 C.F.R. 1.821(g), I hereby certify that the enclosed submission contains no new matter.

Respectfully submitted,

Date: December 26, 2000


B. Aaron Schulman
Registration No. 31,877

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#11 C. Bert
09/6477

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

OUIMET et al.

Serial No.: 09/647,780

Examiner:

Filed: October 5, 2000

Art Unit:

National Stage of PCT/FR99/0807

For: NOVEL NEP II MEMBRANE
METALOPROTEASE AND ITS USE FOR
SCREENING . . .

Docket No.: P06910US0/BAS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

S I R:

In response to the Notice dated December 4, 2001, please amend the
application as follows:

IN THE SPECIFICATION:

After Page 14, please substitute the attached Sequence Listing for any
Sequence Listing previously filed in the application.

REMARKS

By this Preliminary Amendment, Applicants are submitting a revised Sequence
Listing which overcomes the objections pointed out in the Notice dated December 4,
2001, as well as a copy of the paper sequence in computer readable form.

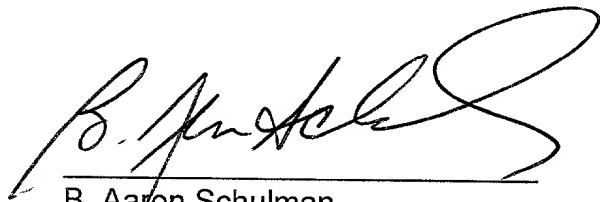
STATEMENT UNDER 37 CFR § 1.821

Applicants hereby certify in accordance with 37 C.F.R. 1.821(f) that the content of the enclosed paper sequence listing and computer readable form of the sequence listing are the same. In accordance with 37 C.F.R. 1.821(g), Applicants hereby certify that the enclosed submission contains no new matter.

In light of the foregoing, it is submitted that all prior objections have been overcome, and that the present application should be examined and passed on to allowance at the earliest possible time.

Respectfully submitted,

LARSON & TAYLOR, PLC



B. Aaron Schulman
Registration No. 31,877

Date: December 13, 2001

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09/647780-#6

26 DEC 2000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

OUIMET et al.

Serial No.: 09/647,780

Examiner:

Filed: October 5, 2000

Art Unit:

National Stage of PCT/FR99/0807

For: NOVEL NEP II MEMBRANE
METALOPROTEASE AND ITS USE FOR
SCREENING . . .

Docket No.: P06910US0/BAS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

S I R:

Prior to the examination of the above-identified application, please amend the application as follows:

IN THE SPECIFICATION:

After Page 14, please insert the attached Sequence Listing (12 pages) and delete the Sequence Listing previously included in the application.

IN THE CLAIMS:

Please amend Claim 9 as follows:

--9. (Amended) A method for detecting the expression of the NEP II polypeptide in a cell or tissue sample or in cells or a tissue, by *in situ* hybridization, comprising the steps consisting in:

- preparing the RNA of said sample or of said cells or of said tissue;

- bringing said RNA obtained into contact with at least one probe having a nucleotide sequence which is capable of hybridizing specifically with a nucleotide sequence as claimed in claim 2[, said probe possibly being in particular an oligonucleotide probe as claimed in claim 3]; and
- detecting the presence of mRNA hybridizing with said probe, which indicates the expression of the NEP II polypeptide.--

Please amend Claim 12 as follows:

--12. (Amended) A method for detecting NEP II in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:

- bringing said cell or tissue sample, said cells or said tissue into contact with a compound which is a substrate for the NEP II polypeptide, obtained according to the method of claim 9, or with a compound which is a inhibitor of the metalloprotease activity of NEP II, [obtained according to the screening method of claim 11,] said substrate compound or said inhibitor compound being labeled; and
- detecting the presence of said substrate compound or of said inhibitor compound, which is an indication of the presence of the NEP II polypeptide.--

Please amend Claim 13 as follows:

--13. (Amended) [The use of] A method of using the NEP II polypeptide as claimed in claim 1 for screening compounds which are inhibitors of the metalloprotease activity of NEP II, and which are useful for manufacturing a medicinal product intended for treating disorders involving the peptide transmissions in which NEP II participates,

comprising bringing compounds suspected of being capable of inhibiting the metalloprotease activity of the NEP II polypeptide as claimed in claim 1 into contact with said polypeptide and determining which of said compounds inhibit the metalloprotease activity of said NEP II polypeptide.--

Please amend Claim 14 as follows:

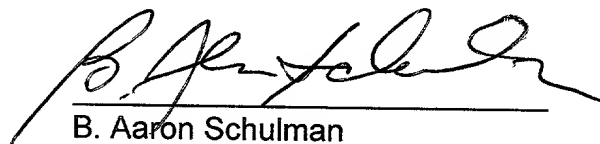
--14. (Amended) [The use] A method of using as claimed in claim 13, [in which] wherein said disorders are [chosen from] selected from the group consisting of cardiovascular and neurodegenerative diseases, growth disorders of endocrine origin, disturbances of the hypothlamo-hypophysial axis and endocrine conditions.--

REMARKS

By this Preliminary Amendment, Applicants are amending Claims 13 and 14 to be more proper under U.S. form and to eliminate multiple dependent claims. In addition, Applicants are providing herewith a computer diskette of the sequence listing and are incorporating into the present specification a paper copy of the sequence listing in computer readable form.

Examination and allowance of the present claims are thus earnestly solicited.

Respectfully submitted,
LARSON & TAYLOR, PLC


B. Aaron Schulman
Registration No. 31,877

Date: December 26, 2000

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"Novel membrane-bound metalloprotease NEP II and the use thereof for screening inhibitors useful in therapy"

5 The subject of the present invention is a novel membrane-bound metalloprotease called NEP II and the use thereof, in particular for screening inhibitors useful in therapy.

10 Membrane-bound metalloproteases such as neprilysin (NEP I, EC 3.4.24.11) play an important role in the activation or inactivation of neuronal or hormonal peptide messengers. Their selective inhibition by synthetic compounds has already led to medicinal products which are commonly used in therapeutics, or
15 which are in the process of clinical development, in particular in the gastroenterological (Baumer et al., Gut, 1992, 33: 753-758) and cardiovascular (Gros et al., Proc. Natl. Acad. Sci. USA, 1991, 88: 4210-4214) fields. The isolation of the cDNAs of genes of novel
20 related metalloproteases is likely to enable the development of novel classes of specific inhibitors with promising therapeutic uses. It is in this way that the cloning and the expression of the endothelin-converting enzyme (ECE) gene (Xu et al., Cell, 1994,
25 78: 473-485) allowed the development of inhibitors which are potentially useful in certain cardiovascular disorders.

 The authors of the present invention have revealed a novel membrane-bound metalloprotease
30 belonging to the ECE/NEP/Kell family (Lee S. et al., 1991, PNAS 88(14): 6353-57), which they have called NEP II.

 A subject of the present invention is thus an isolated polypeptide comprising an amino acid sequence
35 chosen from the sequence SEQ ID No. 2 or SEQ ID No. 4, a sequence derived from or homologous to said sequence SEQ ID No. 2 or SEQ ID No. 4, and a biologically active fragment of said sequence SEQ ID No. 2 or SEQ ID No. 4,

said isolated polypeptide being referred to as "NEP II".

The sequence SEQ ID No. 2 is the amino acid sequence of NEP II identified in rats.

5 The sequence SEQ ID No. 4 is an amino acid sequence (partial) of NEP II identified in humans.

The term "derived" polypeptide is intended to mean any polypeptide resulting from a modification of genetic and/or chemical type of the sequence SEQ ID
10 No. 2 or SEQ ID No. 4, i.e. by mutation, deletion, addition, substitution and/or chemical modification of at least one amino acid, or any isoform having a sequence identical to the sequence SEQ ID No. 2 or SEQ ID No. 4, but containing at least one amino acid in the
15 D form.

Said substitutions are preferably conservative substitutions, i.e. substitutions of amino acids of the same class, such as substitutions of amino acids with uncharged side chains (such as asparagine, glutamine,
20 serine, threonine or tyrosine), of amino acids with basic side chains (such as lysine, arginine or histidine), of amino acids with acidic side chains (such as aspartic acid or glutamic acid) or of amino acids with apolar side chains (such as glycine,
25 alanine, valine, leucine, isoleucine, proline, phenylalanine, methionine, tryptophan or cysteine).

The term "homologous" polypeptide is intended to mean more particularly any polypeptide which can be isolated from mammalian species other than rats or
30 humans.

Said homologous polypeptides show preferably greater than 70%, even more preferably greater than 75%, sequence homology with the complete sequence SEQ ID No. 2 or SEQ ID No. 4, the homology being
35 particularly high in that portion of said polypeptide containing the active site.

The homology is generally determined using a sequence analysis software package (for example, Sequence Analysis Software Package of the Genetics

Computer Group, University of Wisconsin Biotechnology Center, 1710 University Avenue, Madison, WI 53705). Similar amino acid sequences are aligned in order to obtain the maximum degree of homology (i.e. identity).
5 To this end, it may be necessary to artificially introduce "gaps" into the sequence. Once the optimum alignment has been produced, the degree of homology (i.e. identity) is established by recording all the positions for which the amino acids of the two compared
10 sequences are identical, with respect to the total number of positions.

Said polypeptides derived from or homologous to, or the polypeptide fragments of, the polypeptide of sequence SEQ ID No. 2 or SEQ ID No. 4 are biologically
15 active, i.e. they have biological properties identical or similar of the biological properties of the NEP II polypeptide of sequence SEQ ID No. 2 or SEQ ID No. 4, namely metalloprotease activity.

The preferred polypeptide fragments comprise
20 the sequence of the active site responsible for binding the zinc atom which is essential for the catalysis. This active site has been identified as encompassing the HEX_1X_2H , X_1 and X_2 residues representing varied amino acids. It is in particular the HEITH sequence
25 (amino acids 608 to 612 of the sequence SEQ ID No. 2) in the NEP II polypeptide in rats and humans.

A subject of the present invention is also an isolated nucleic acid comprising a nucleotide sequence chosen from the sequence SEQ ID No. 1 or SEQ ID No. 3,
30 a sequence derived from or homologous to said sequence SEQ ID No. 1 or SEQ ID No. 3, and the complementary sequences thereof.

The sequence SEQ ID No. 1 is the cDNA sequence comprising the coding frame for NEP II identified in
35 rats.

The sequence SEQ ID No. 3 is the cDNA sequence comprising (partially) the coding frame for NEP II identified in humans.

The term "derived" nucleotide sequence is intended to mean any nucleotide sequence encoding a polypeptide derived from NEP II as defined above, i.e. a sequence resulting from a modification of the sequence SEQ ID No. 1 or SEQ ID No. 3, in particular by mutation, deletion, addition or substitution of at least one nucleotide. Included in particular are the sequences which are derived from the sequence SEQ ID No. 1 or SEQ ID No. 3 by degeneracy of the genetic code.

The term "homologous" sequence is intended to mean more particularly any nucleotide sequence encoding an NEP II polypeptide homologous to the NEP II polypeptide of sequence SEQ ID No. 2 or SEQ ID No. 4 in mammalian species other than rats or humans.

Such a homologous sequence has preferably greater than 70%, even more preferably greater than 75%, homology with the sequence SEQ ID No. 1 or SEQ ID No. 3, the homology being particularly high in the central portion of the sequence encoding the NEP II polypeptide.

Preferably, such as homologous nucleotide sequence hybridizes specifically with the sequences which are complementary to the sequence SEQ ID No. 1 or No. 3, under stringent conditions. The parameters which define the stringency conditions depend on the temperature at which 50% of the paired strands separate (T_m).

For sequences comprising more than 30 bases, T_m is defined by the equation: $T_m = 81.5 + 0.41(\%G+C) + 16.6 \log(\text{concentration of cations}) - 0.63(\%\text{formamide}) - (600/\text{number of bases})$ (Sambrook et al., Molecular Cloning, A laboratory manual, Cold Spring Harbor laboratory Press, 1989, pages 9.54-9.62).

For sequences more than 30 bases long, T_m is defined by the equation: $T_m = 4(G+C) + 2(A+T)$.

Under suitable stringency conditions, under which the nonspecific sequences do not hybridize, the hybridization temperature is approximately 5 to 30°C,

preferably 5 to 15°C, below T_m , even more preferably 5 to 10°C below T_m (high stringency), and the hybridization buffers used are preferably solutions with high ionic strength, such as a 6xSSC solution for example.

The nucleotide sequences according to the invention can be used for producing a recombinant NEP II protein according to the invention, according to techniques for producing recombinant products, known to persons skilled in the art.

An effective system for producing a recombinant protein must have a vector, for example of plasmid or viral origin, and a compatible host cell.

The cellular host can be chosen from prokaryotic systems such as bacteria, or eukaryotic systems such as, for example, yeasts, insect cells or mammalian cells, for instance CHO cells (Chinese hamster ovary cells), or any other advantageously available system.

The vector should comprise a promoter, translation initiation and termination signals, and the suitable transcription regulation regions. It should be able to be integrated into the cell and can optionally have specific signals determining the secretion of the translated protein.

These various control signals are chosen according to the cellular host used. For this purpose, the nucleotide sequences according to the invention can be inserted into vectors which replicate autonomously within the chosen host, or vectors which integrate in the chosen host. Such vectors will be prepared according to the methods commonly used by persons skilled in the art, and the clones resulting therefrom can be introduced into a suitable host by standard methods, such as for example electroporation.

Examples of vectors of interest are the plasmids pcDNA 3.1, PCR2.1 (Invitrogen), or pMbac (Stratagene).

The invention is aimed toward the cloning and/or expression vectors containing a nucleotide sequence according to the invention, and is also aimed toward the host cells transfected with these vectors.

5 These cells can be obtained by introducing into host cells a nucleotide sequence inserted into a vector as defined above, and then culturing said cells under conditions which allow the replication and/or expression of the transfected nucleotide sequence.

10 These cells can be used in a method for producing a recombinant polypeptide according to the invention.

The method for producing a polypeptide of the invention in recombinant form is itself included in the present invention, and is characterized in that the transfected cells are cultured under conditions which allow the expression of a recombinant polypeptide according to the invention, and in that said recombinant polypeptide is recovered.

20 The purification methods used are known to persons skilled in the art. The recombinant polypeptide can be purified from cell lysates and extracts, or from the culture medium supernatant, by methods used separately or in combination, such as fractionation, chromatography methods, or immunoaffinity techniques using monoclonal antibodies or polyclonal serum, etc.

25 A subject of the present invention is also the nucleotide probes which are capable of hybridizing strongly and specifically with a nucleic acid sequence, of a genomic DNA or of a messenger RNA, encoding a polypeptide according to the invention. The suitable hybridization conditions correspond to the temperature and ionic strength conditions conventionally used by persons skilled in the art (Sambrook et al., 1989), preferably to conditions of high stringency, i.e. 30 temperature conditions between (T_m minus 5°C) and (T_m minus 15°C) and even more preferably to temperature conditions between T_m and (T_m minus 10°C) (high stringency).

The preferred probes are in particular the oligonucleotide probes chosen from the sequences SEQ ID No. 5 to SEQ ID No. 27.

Such probes are useful for sequencing reactions or specific amplification reactions according to the so-called PCR (polymerase chain reaction) technique or any other variant of this.

Such probes are also useful in a method for detecting the expression of the NEP II polypeptide in a cell or tissue sample or in cells or a tissue, by *in situ* hybridization, comprising the steps consisting in:

- preparing the RNA of said sample or of said cells or of said tissue;

- bringing said RNA obtained into contact with at least one probe having a nucleotide sequence which is capable of hybridizing specifically with a nucleotide sequence according to the invention, said probe possibly being in particular an oligonucleotide probe of sequence SEQ ID No. 5 to SEQ ID No. 27;

- detecting the presence of mRNA hybridizing with said probe, which indicates the expression of the NEP II polypeptide.

A subject of the invention is also mono- or polyclonal antibodies or their fragments, chimeric antibodies or immunoconjugates, characterized in that they are obtained using a polypeptide according to the invention administered to an animal, and are capable of recognizing specifically a polypeptide according to the invention. A subject of the invention is also the use of these antibodies for purifying or detecting an NEP II polypeptide in a biological sample.

The polyclonal antibodies can be obtained from the serum of an animal immunized against the NEP II protein produced, for example, by genetic recombination using the method described above, according to the usual procedures.

The monoclonal antibodies can be obtained according to the conventional method of hybridoma

culturing described by Köhler and Milstein (Nature, 1975, vol. 256, pp 495-497).

The antibodies can be chimeric antibodies, humanized antibodies or Fab and F(ab')₂ fragments. They
5 can also be in the form of labeled antibodies or immunoconjugates.

The antibodies according to the invention are particularly useful for detecting the presence of NEP II.

10 A subject of the present invention is therefore a method for immunologically detecting NEP II in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:

- bringing said cell or tissue sample, said
15 cells or said tissue into contact with a detectable antibody according to the invention;

- detecting the presence of said antibody, which is an indication of the presence of the NEP II polypeptide.

20 The term "detectable antibody" is intended to mean either an antibody labeled with a detectable group, such as a group which is radioactive, enzymatic, fluorogenic or fluorescent, or an antibody to which another antibody, which is itself labeled in a
25 detectable manner is bound.

The antibodies according to the invention can thus make it possible to evaluate overexpression of the
+ ^{NEP} ~~lacuna~~ II polypeptide, which may be an indication of neuroendocrine tumour cells in particular.

30 A subject of the invention is also a method for identifying compounds which are substrates for the NEP II polypeptide as defined above, in which said compounds, optionally labeled, are brought into contact with the NEP II polypeptide, and the cleavage of said
35 compounds by NEP II, which is an indication of the metalloprotease activity of NEP II toward said substrate compounds, is evaluated.

Such substrates specific for NEP II can in particular be used in a method for detecting the

metalloprotease activity of NEP II in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:

5 - bringing said cell or tissue sample, said cells or said tissue into contact with a compound which is a substrate for the NEP II polypeptide, obtained according to the invention, said substrate compound being optionally labeled;

10 - evaluating the cleavage of said substrate compound, which is an indication of the metalloprotease activity of NEP II.

15 Cells which can be thus assayed are especially cells transfected with a polynucleotide encoding the NEP II polypeptide as defined above. Tissue extracts which can be assayed are especially testicle membranes, which are particularly rich in NEP II metalloprotease.

20 A subject of the invention is, moreover, a method for screening compounds which are capable of inhibiting the metalloprotease activity of the NEP II polypeptide according to the invention, in which said compounds are brought into contact with said NEP II polypeptide and the degree of inhibition of the metalloprotease activity of NEP II is evaluated.

25 The compounds capable of inhibiting the metalloprotease activity of NEP II are preferably short peptides of 2 or 3 natural or modified amino acids.

30 The synthetic peptides identified as inhibitors of the metalloprotease activity of NEP II by this screening method can be coupled to a zinc-chelating group, such as thiol, phosphate or hydroxamic acid groups, according to the conventional techniques known to persons skilled in the art. The inhibitor compound obtained is a good candidate as an active principle of a medicinal product, in combination with a
35 pharmaceutically acceptable vehicle. Said chelating group can optionally be transiently protected, for example with a thiol ester, so as to improve the bioavailability of said active principle.

The NEP II polypeptide according to the invention is particularly useful for screening compounds which are inhibitors of the metalloprotease activity of NEP II and which are useful for manufacturing a medicinal product intended for treating disorders involving peptide transmissions in which NEP II participates.

Among the disorders under consideration, mention may be made in particular of cardiovascular and neurodegenerative diseases, growth disorders of endocrine origin, disturbances of the hypothalamo-hypophysial axis and endocrine conditions. More particularly targeted are disorders affecting the metabolism of neurohormones or factors of the corticotropic sphere.

The compounds which are substrates for NEP II or which are inhibitors of the metalloprotease activity of NEP II, obtained according to the methods described above, can also be useful for detecting the NEP II protein.

A subject of the present invention is therefore also a method for detecting NEP II in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:

- bringing said cell or tissue sample, said cells or said tissue into contact with a compound which is a substrate for the NEP II polypeptide, obtained as defined above, or with a compound which is an inhibitor of the metalloprotease activity of NEP II, obtained according to the screening method as defined above, said substrate compound or said inhibitor compound being labeled;

- detecting the presence of said substrate compound or of said inhibitor compound, which is an indication of the presence of the NEP II polypeptide.

The term "labeled substrate compound" or "labeled inhibitor" is intended to mean a substrate compound or an inhibitor compound which is labeled in a detectable manner, for example with a group which is

radioactive, enzymatic, fluorogenic or fluorescent, etc.

The following examples illustrate the invention without limiting it.

5

EXAMPLE 1:

Cloning the cDNA encoding NEP II in rats

Degenerate oligonucleotides were obtained based on the alignment of the peptide sequences of the ECE, NEP I and Kell enzymes, and on the delimitation of the regions of strong homology.

The total RNA of various rat tissues (brain, intestine and testicles) was subjected to reverse transcription (RT) and amplified by polymerase chain reaction (PCR), using a pair of degenerate oligonucleotides, over the N-terminal region rich in cysteine residues:

The sequences of these degenerate oligonucleotides are as follows:

20 DCYS2 CCC AAG (G/T)CG (A/G)G(A/G) CTG GTC

DCYS3 T(A/T)(C/T) GC(A/C/T/G) GG(A/T) GG(A/C) TGG

This made it possible to amplify a 420-base pair fragment from the testicle RNAt, encoding an open reading frame which has 76% homology with the NEP I protein. This sequence was completed by 3' and 5' RACE (rapid amplification of cDNA ends), using RNAt from brain and from testicles. The sequences were confirmed by verifying five different clones for each tissue and each amplification. The complete cDNA (SEQ ID No. 1) was then cloned into the vectors PCR2.1 and pcDNA3.1 (Invitrogen).

30

EXAMPLE 2:

Characteristics of the rat NEP II polypeptide

35 The novel gene isolated encodes a 774-amino acid protein (SEQ ID No. 2) which, besides strong homologies with the NEP I, ECE and Kell enzymes (52%, 40% and 28% amino acid identity, respectively), has the consensus sequence of the HEXXH active site, a

transmembrane region (amino acids 24 to 40 in the
sequence SEQ ID No. 2) followed by four cysteine
residues which are characteristic of this family, and
seven potential glycosylation sites. Three alternative
5 splicings were identified by sequencing the RACE
products and by RT-PCR. One of these alternative
splicings eliminates a potential glycosylation site and
might affect the transit of the protein to the surface
of the cell, or its activity. Each splicing
10 corresponds, moreover, to an exon of NEP I, which
suggests a similar gene structure. These data
demonstrate that this novel enzyme belongs to the
family of ECE/NEP/Kell metalloproteases. Its notable
homology with NEP I led to it being named NEP II.

15 **EXAMPLE 3:**

Cloning the cDNA encoding NEP II in humans

In order to clone the human homologue of
NEP II, two oligonucleotides were designed, based on
20 the protein sequence of rat NEP II. The sequences were
chosen, on the one hand, for their low degeneracy (such
as, for example, a tryptophan, represented by a single
codon in the genetic code) and, on the other hand, for
their degree of conservation (such as the zinc binding
25 site).

1- (H)EITHFD (SEQ IDNo.28) or 5' - CGA GAT CAC ACA TGG CTT TGA
TGA - 3' (S) (SEQ IDNo.22)

2- QVWCGS (SEQ IDNo.29) or 5'- GGA CCC ACA CCA CAC CTG - 3' (AS)
(SEQ ID n°23)

A polymerase chain reaction was carried out on
human hippocampe cDNA obtained from a library
30 (Stratagene), and a 330-bp band was amplified,
subcloned and sequenced (SEQ ID No. 3). The sequence
obtained shows 82% sequence homology with rat NEP II,
which makes it possible to assert that it encodes the
human homologue.

The presence of the HEITH zinc binding site was confirmed by 5' RACE using the human-specific HNII-2 and HNII-3 oligonucleotides. Similarly, the HNII-1 and HNII-2 oligonucleotides will enable the amplification of the 3' region by the 3' RACE technique.

HNII-1 5'- CGG CCT GGA TCT CAC CCA TGA G - 3' (SEQ IDNo.24)

HNII-2 5'- CTG ACT GCT CCC GGA AGT GCT GGG TG - 3' (SEQ IDNo.25)

HNII-3 5'- GAG CAG CTC TTC TTC ATC - 3' (SEQ IDNo.26)

HNII-4 5'- CTC CAC CAA TCC ATC ATG TTG C - 3' (SEQ IDNo.27).

EXAMPLE 4:

10 **NEP II tissue expression**

Northern blot and RT-PCR studies show that NEP II is encoded by a 2.8-Kb transcript which is very highly expressed in rat testicles, and moderately expressed in the heart, the liver, the digestive system and the brain. Semi quantitative RT-PCR studies show a similar expression profile in these tissues and a predominance of the long forms.

All these characteristics indicate clearly that the protein identified for the first time is a membrane-bound metalloprotease (ectoprotease) responsible for the metabolism of neuronal and/or hormonal messenger peptides.

The native NEP II polypeptide is expressed in a heterogeneous manner in the nervous system, the glands (hypophyses, testicle), the digestive apparatus (small intestine in particular) and the cardiovascular system (heart in particular).

In situ hybridization techniques also indicate a high expression of the NEP II protein in neurons and adenohypophysial cells expressing the gene for POMC (propiomelanocortin), which is the precursor of ACTH.

These locations indicate the participation of NEP II in the proteolysis of hormones and of peptide neurotransmitters, or of their precursors, coming from or acting on these diverse organs. It consequently becomes advantageous, for therapeutic purposes, to affect the corresponding peptide transmissions by inhibiting NEP II.

CLAIMS

1. An isolated polypeptide comprising an amino acid sequence chosen from the sequence SEQ ID No. 2 or
5 SEQ ID No. 4, a sequence derived from or homologous to said sequence SEQ ID No. 2 or SEQ ID No. 4, and a biologically active fragment of said sequence SEQ ID No. 2 or SEQ ID No. 4, said isolated polypeptide being referred to as "NEP II".
- 10 2. An isolated nucleic acid comprising a nucleotide sequence chosen from the sequence SEQ ID No. 1 or SEQ ID No. 3, a sequence derived from or homologous to said sequence SEQ ID No. 1 or SEQ ID No. 3, and the complementary sequences thereof.
- 15 3. An oligonucleotide probe which hybridizes specifically with a nucleotide sequence as claimed in claim 2, said probe having a nucleotide sequence chosen from the sequences SEQ ID No. 5 to SEQ ID No. 27.
4. A cloning and/or expression vector containing a
20 nucleotide sequence as claimed in claim 2.
5. A host cell transfected with a vector as claimed in claim 4.
6. Mono- or polyclonal antibodies or their fragments, chimeric antibodies or immunoconjugates,
25 characterized in that they are obtained using a polypeptide as claimed in claim 1 administered to an animal, and are capable of recognizing specifically a polypeptide as claimed in claim 1.
7. A method for immunologically detecting NEP II
30 in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:
- bringing said cell or tissue sample, said cells or said tissue into contact with a detectable antibody as claimed in claim 6;
 - 35 - detecting the presence of said antibody, which is an indication of the presence of the NEP II polypeptide.

8. A method for detecting the expression of the NEP II polypeptide in a cell or tissue sample or in cells or a tissue, by *in situ* hybridization, comprising the steps consisting in:

5 - preparing the RNA of said sample or of said cells or of said tissue;

 - bringing said RNA obtained into contact with at least one probe having a nucleotide sequence which is capable of hybridizing specifically with a
10 nucleotide sequence as claimed in claim 2, said probe possibly being in particular an oligonucleotide probe as claimed in claim 3;

 - detecting the presence of mRNA hybridizing with said probe, which indicates the expression of the
15 NEP II polypeptide.

9. A method for identifying compounds which are substrates for the NEP II polypeptide as claimed in claim 1, in which said compounds, optionally labeled, are brought into contact with the NEP II polypeptide,
20 and the cleavage of said compounds by NEP II, which is an indication of the metalloprotease activity of NEP II toward said substrate compounds, is evaluated.

10. A method for detecting the metalloprotease activity of NEP II in a cell or tissue sample or in
25 cells or a tissue, comprising the steps consisting in:

 - bringing said cell or tissue sample, said cells or said tissue into contact with a compound which is a substrate for the NEP II polypeptide, obtained according to the method of claim 9, said substrate
30 compound being optionally labeled;

 - evaluating the cleavage of said substrate compound, which is an indication of the metalloprotease activity of NEP II.

11. A method for screening compounds which are
35 capable of inhibiting the metalloprotease activity of the NEP II polypeptide as claimed in claim 1, in which said compounds are brought into contact with said NEP II polypeptide and the degree of inhibition of the metalloprotease activity of NEP II is evaluated.

12. A method for detecting NEP II in a cell or tissue sample or in cells or a tissue, comprising the steps consisting in:

- bringing said cell or tissue sample, said
5 cells or said tissue into contact with a compound which is a substrate for the NEP II polypeptide, obtained according to the method of claim 9, or with a compound which is an inhibitor of the metalloprotease activity of NEP II, obtained according to the screening method
10 of claim 11, said substrate compound or said inhibitor compound being labeled;

- detecting the presence of said substrate compound or of said inhibitor compound, which is an indication of the presence of the NEP II polypeptide.

15 13. The use of the NEP II polypeptide as claimed in claim 1 for screening compounds which are inhibitors of the metalloprotease activity of NEP II, and which are useful for manufacturing a medicinal product intended for treating disorders involving the peptide
20 transmissions in which NEP II participates.

14. The use as claimed in claim 13, in which said disorders are chosen from cardiovascular and neurodegenerative diseases, growth disorders of endocrine origin, disturbances of the hypothalamo-
25 hypophysial axis and endocrine conditions.

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled "Novel membrane-bound metalloprotease NEP II and the use thereof for screening inhibitors useful in therapy".

the specification of which (check one):

☐ is attached hereto.

☒ was filed on October 5, 2000 as Application Serial No 09/647,780 (if applicable).
and was amended on _____

☒ was filed on April 7, 1999 as International Application (PCT) No. PCT/FR99/00807 (if applicable).
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, §1.56(a)*. I hereby claim foreign priority benefits under *Title 35, United States Code §119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

PRIORITY CLAIMED

Number	Country	Day/Month/Year Filed	Yes	No
98 04 389	FRANCE	April 8, 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Number	Country	Day/Month/Year Filed	<input type="checkbox"/>	<input type="checkbox"/>
Number	Country	Day/Month/Year Filed	<input type="checkbox"/>	<input type="checkbox"/>
Number	Country	Day/Month/Year Filed	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under *Title 35, United States Code, §120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, §112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, §1.56(a)* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Number	Filing Date	Status - Patented, Pending or Abandoned
Application Number	Filing Date	Status - Patented, Pending or Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of rule 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Andrew E. Taylor, P. 000, Thomas P. Sarro 19396, Harold L. Novick 26011, Mark J. Gutttag 33057, Walter C. Gillis 22086, Ross Hunt Jr 25082, Douglas E. Jackson 28518, Daniel C. Mallery 33532, Marvin Petry 22752, William E. Jac 016, B. Aaron Schulman 31877

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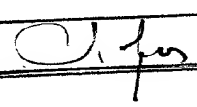
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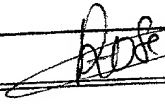
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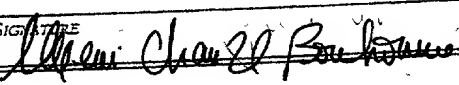
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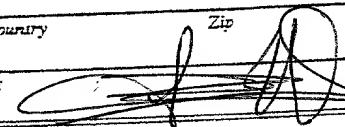
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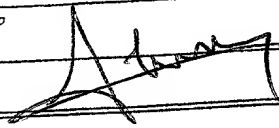
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Glu	Cys	Val	Ser	Tyr	Val	Asn	Ser	Asn	Met	Glu	Ser	Ala	Val	Gly	Ser	435	440	445
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<110> OUIOMET et al.

<120> Novel membrane-bound metalloprotease NEP II and the use thereof for screening inhibitors useful in therapy

<130> P06910US0/BAS

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Met Gly Lys
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Asn Asn Arg His	Leu Asp Glu Glu Tyr Ser	Ser Ser Leu Thr Phe Ser Glu				
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Arg Ser Leu Lys	Lys Leu Arg Glu Lys Val	Asp Gln Asn Leu Trp Ile				
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Gly Asn Met Leu	Asp Trp Trp Ser Asn Phe	Ser Ala Arg His Phe Arg				
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Leu Ala Asp Asn	Gln Asn Val Asn Gly Phe	Ser Thr Leu Gly Glu Asn				
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Trp Leu Ala Glu	Gly Gly Arg Asp Gln Arg	Leu Pro Gly Leu Asn Leu				
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Thr Tyr Ala Gln	Leu Phe Phe Ile Asn Tyr	Ala Gln Val Trp Cys Gly				
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Ser Tyr Arg Pro	Glu Phe Ala Ile Gln Ser	Ile Lys Thr Asp Val His				
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Phe Arg Glu Gln Ser Glu Cys Met Ile Tyr Gln Tyr Gly Asn Tyr Ser
35 40 45
Trp Asp Leu Ala Asp Glu Gln Asn Val Asn Gly Phe Asn Thr Leu Gly
50 55 60
Glu Asn Ile Ala Asp Asn Gly Gly Val Arg Gln Ala Tyr Lys Ala Tyr
65 70 75 80
Leu Lys Trp Met Ala Glu Gly Gly Lys Asp Gln Gln Leu Pro Gly Leu
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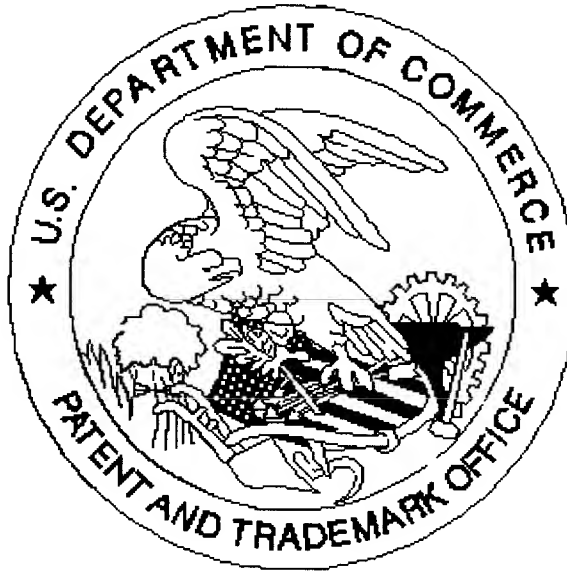
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Office of Initial Patent Examination -- Scanning Division



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